SUPREME COURT MINUTES THURSDAY, MAY 29, 2003 SAN FRANCISCO, CALIFORNIA

The Supreme Court of California reconvened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on May 29, 2003, at 9:00 a.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Kennard, Baxter, Werdegar, Chin, Brown, and Moreno.

Officers present: Frederick K. Ohlrich, Clerk; and Gail Gray, Deputy Clerk.

S094088 The People, Plaintiff and Respondent

v

Arlene Dena Sanders, et al., Defendants and Appellants Cause called. Doris A. Calandra, Deputy Attorney General, argued for Respondent.

J. Peter Axelrod argued for Appellant Sanders. Elizabeth Campbell argued for Appellant McDaniel.

Ms. Calandra replied.

Cause submitted.

Justice Joyce L. Kennard, not participating in consideration of the following case, did not take the bench.

The Honorable Ronald B. Robie, Associate Justice, Court of Appeal, Third District, sitting on the following case under assignment by the Chairperson of the Judicial Council, joined the Court at the bench.

Justice Ming W. Chin, not participating in consideration of the following case, did not take the bench.

The Honorable Maria P. Rivera, Associate Justice, Court of Appeal, First District, Division Four, sitting on the following case under assignment by the Chairperson of the Judicial Council, joined the Court at the bench.

SAN FRANCISCO MAY 29, 2003 823

S102588 DVD Copy Control Association, Plaintiff and Respondent

V.

Andrew Bunner, Defendant and Appellant

Cause called. Robert G. Sugarman opened argument for Respondent.

Bill Lockyer, appearing for Amicus Curiae California State Attorney General, continued argument for Respondent.

David A. Greene argued for Appellant.

Mr. Sugarman replied.

Cause submitted.

Justices Robie and Justice Rivera, not participating in the following matters, did not join the bench. The Court are rejoined at the bench by Justices Kennard and Chin. All other officers were present as before shown.

S105225 The People, Plaintiff and Respondent

V.

Andre Rene Floyd, Defendant and Appellant

Cause called. Conrad Petermann argued for Appellant.

Patrick J. Whalen, Deputy Attorney General, argued for Respondent.

Mr. Petermann replied.

Cause submitted.

Court recessed until 1:30 p.m. this date.

Court reconvened pursuant to recess.

Members of the Court and Officers present as first shown.

SAN FRANCISCO MAY 29, 2003 824

S109902 In re Eddie M., a Person Coming Under the Juvenile Court Law

The People, Plaintiff and Respondent

V.

Eddie M., Defendant and Appellant

Cause called. Allen G. Weinberg argued for Appellant.

Corey J. Robins, Deputy Attorney General, argued for Respondent.

Mr. Weinberg replied.

Cause submitted.

S107904 In re Emiliano M., a Person Coming Under the Juvenile Court Law

The People, Plaintiff and Respondent

V.

Emiliano M., Defendant and Appellant

Cause called. Anthony Da Silva, Deputy Attorney General, argued for Respondent.

Amanda Doerrer argued for Appellant.

Mr. Da Silva replied.

Cause submitted.

S034110 The People, Respondent

V.

Mark Christopher Crew, Appellant

Cause called. Andrew S. Love, Assistant State Public Defender, argued for Appellant.

Peggy S. Ruffra, Deputy Attorney General, argued for Respondent.

Mr. Love replied.

Cause submitted.

Court adjourned.

S103761

G028162 Fourth Appellate District, Division Three

PEOPLE v. BUTTRAM

Opinion filed: Judgment reversed and remanded

Opinion By: Baxter, J.
--- joined by George, C.J., Kennard, Werdegar, Chin, Moreno, JJ.
Concurring Opinion By: Baxter, J.
--- joined by Chin, J.

Dissenting Opinion By: Brown, J.

S104303

D037349 Fourth Appellate District, Division One

PEOPLE v. HAMMER

Opinion filed: Affirmed in full with directions

Majority Opinion By: George, C. J. --- joined by Kennard, Baxter, Werdegar, Chin, Brown, Moreno, JJ.

S015008

PEOPLE v. SCHMECK (MARK L.) Extension of time granted

to August 4, 2003 to file respondent's brief. After that date, only two further extensions totaling about 90 additional days will be granted. Extension is granted based upon Deputy Attorney General Violet M. Lee's representation that she anticipates filing that brief by 11/9/2003.

S033901

PEOPLE v. THOMPSON (CATHERINE) Extension of time granted

to July 22, 2003 to file appellant's opening brief. After that date, only two further extensions totaling 90 additional days will be granted. Extension is granted based upon counsel Gail R. Weinheimer's representation that she anticipates filing that brief by 10/30/2003.

S034072

PEOPLE v. CURL (ROBERT ZANE) Extension of time granted

to August 4, 2003 to file appellant's opening brief.

S042698

PEOPLE v. JURADO (ROBERT) Extension of time granted

to July 2, 2003 to file appellant's opening brief. Extension is granted based upon Deputy State Public Defender Mark Hammond's representation that he anticipates filing that brief by 7/2/2003. After that date, no further extension will be granted.

S056842

PEOPLE v. RICCARDI (JOHN A.) Extension of time granted

to July 28. 2003 to file appellant's opening brief. After that date, no further extension will be granted. Extension is granted based upon counsel Carla J. Johnson's representation that she anticipates filing that brief by 7/27/2003.

S063274

THOMAS (RALPH) ON H.C. Extension of time granted

to August 4, 2003 to file the exceptions to referee's report and brief on the merits. After that date, only two further extensions totaling about 90 additional days will be granted. Extension is granted based upon counsel Alex Reisman's representation that he anticipates filing that document by 11/3/2003. Upon the court's own motion, the time for filing respondent's exceptions to the referee's report and brief on the merits is extended to and including 8/4/2003.

S105058

A081492 First Appellate District, A088117 Division Three

PEOPLE v. CAVITT

Extension of time granted

On applications of appellants Cavitt and Williams and good cause appearing, it is ordered that the time to serve and file appellants' reply briefs on the merits is extended to and including June 30, 2003.

S111780

H023080 Sixth Appellate District

T. (GEORGE), IN RE

Extension of time granted

Respondent's time to serve and file the reply brief is extended to and including July 2, 2003.

S113929

B153455 Second Appellate District, Division Six

PEOPLE v. BROWN

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief on the merits is extended to and including June 26, 2003.

S114184

G028417 Fourth Appellate District, G028422 Division Three

PEOPLE v. WILLIAMS

Counsel appointment order filed

Upon request of respondent for appointment of counsel, Appellate Defenders, Inc. is hereby appointed to represent respondent on his appeal now pending in this court. Respondent's brief on the merits shall be served and filed on or before thirty (30) days from the date appellant's opening brief on the merits is filed.

SAN FRANCISCO MAY 29, 2003 828

Bar Misc. 4186

IN THE MATTER OF THE APPLICATION OF THE COMMITTEE OF BAR EXAMINERS OF THE STATE OF CALIFORNIA FOR ADMISSION OF ATTORNEYS

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place: (LIST OF NAMES ATTACHED TO ORIGINAL ORDER)